

IN THE DRAWINGS

The attached sheets of drawings include changes to Figs. 19, 20 and 21. These sheets, which include Figs. 19, 20 and 21, replace the original sheets including Figs. 19, 20 and 21.

Attachment: Replacement Sheets (2)

REMARKS/ARGUMENTS

Favorable reconsideration of this application in light of the following discussion is respectfully requested.

Claims 14-16, 18, and 21-41 are presently active in this case; Claims 14-16, and 18 have been amended; Claims 17, 19 and 20 canceled and Claims 28-41 added by way of the present amendment.

In the outstanding Office Action, 14-16, and 22-23 were rejected under the judicially created doctrine of double patenting as unpatentable over Claims 3-6 of U.S. patent number 6,261,007 to Takamori et al. in view of U.S. patent number 5,937,223 to Akimoto et al. and one of JP 2000-77326 to Kitano '326 or JP 2000-188251 to Kitano '251; Claim 20 was rejected under the judicially created doctrine of double patenting as unpatentable over Claims 3-6 of Takamori et al., in view of Akimoto et al., Sago, and JP 09-320915 to Yamaguchi et al.; Claim 21 was rejected under the judicially created doctrine of double patenting as unpatentable over Claims 3-6 of Takamori et al., in view of Akimoto, Sago, and one of Kitano '326 or Kitano '251 further in view of U.S. patent number 6,159,541 to Sakai et al. and U.S. patent number 5,99,547 to Sato et al.; Claims 14-16 and 22-23 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. patent number 5,937,223 to Akimoto in view of JP 9-164364 to Sago, and one of Kitano '326 or Kitano '251; Claim 20 was rejected under 35 U.S.C. § 103(a) as unpatentable over Akimoto, Sago, and one of Kitano '326 or Kitano '251; Claim 21 was rejected under 35 U.S.C. § 103(a) as unpatentable over Akimoto, Sago, and one of Kitano '326 or Kitano '251 in view of Sakai; and Claims 17-19 were objected to as being dependent upon a rejected base claim but would be allowable if rewritten in independent form including all limitations of the base claim and any intervening claims.

First, Applicants wish to thank the Examiner for the indication of allowable subject matter in dependent Claims 17 and 19. In response to the Examiner's suggestions,

Applicants have now added new independent Claim 28, which incorporates the allowable subject matter of Claim 17 into original Claim 14, and new independent Claim 35, which incorporates the allowable subject matter of Claim 19, into original Claim 14. Thus, Applicant's independent Claims 28 and 35 are now in condition for allowance. Moreover, Applicants have also added dependent Claims 29-34 and 36-40, which depend from independent Claims 28 and 35 respectively. As these new dependent claims correspond to original Claims 15, 16, 18, 21-23, the dependent claims do not raise an issue of new matter. Moreover, as these dependent claims depend from allowable Claims 29 and 35, these dependent claims are also in condition for allowance.

In response to rejection under the judicially created doctrine of double patenting, Applicants herewith file a terminal disclaimer in compliance with 37 C.F.R. §1.321 thereby overcoming the double patenting rejection of Claims 14-16 and 22-23. For the record, Applicants note that the "filing of a terminal disclaimer simply serves the statutory function of removing the rejection of double patenting, and raises neither a presumption nor estoppel on the merits on the rejection." Quad Environmental Technologies Corp v. Union Sanitary District, 946 F.2d 870, 874, 20 USPQ2d 1392, 1394-5 (Fed. Cir. 1991).

With respect to the objection of Claim 14, in order to expedite issuance of a patent in this case, Applicants have amended Claim 14 to clarify the patentable features of the present invention over the cited references. Specifically, Claim 14 has been amended to recite a cover body for surrounding the holding member, and provided with an opening portion for allowing the holding member to advance and retract and which moves up and down with the holding member. An example of this recited structure is shown in Figures 18 and 19 where a box shaped cover body 81 includes an opening portion 81a. As the cover body 81 and the opening portion 81a move up and down, the holding member 8 moves up and down with the opening portion.

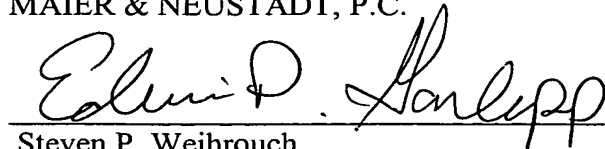
In contrast, none of the cited references disclose a cover body that moves up and down with the arms of a holding member. While Yamaguchi et al. discloses a wafer carrier 96 which moves up and down within a cover body 94, the cover body does not move up and down with the arm of the transfer mechanism. Thus, the cited references do not disclose the limitations of Claim 14 as amended herein. Thus, Claim 14, and claims depending therefrom patentably define over the cited references.

Finally, Applicants note that Claim 41 has been added to depend from Claim 14 and further define a structure of the cover body. Specifically, Claim 41 recites that the cover body is a box shaped cover body and surrounds only the main transfer mechanism. In contrast, none of the cited references disclose these features. In this regard, the cover body 94 of Yamaguchi et al. is in the form of a cylinder, and surrounds all of the main transfer mechanism, drive mechanism, and linear guide rail. Thus, Yamaguchi et al. also does not disclose a cover body being box shaped and surrounding only the main transfer mechanism as now recited in Claim 41.

Consequently, in view of the present amendment, no further issues are believed to be outstanding in the present application, and the present application is believed to be in condition for formal Allowance. An early and favorable action is therefore respectfully requested.

Respectfully submitted,

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